



**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3671**

PATENT
Attorney Docket No. 501094
Client Reference No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James J. Barnat et al.

Art Unit: 3671

Application No. 09/873,800

Examiner: Raymond W. Addie

Filed: June 4, 2001

For: ROADWAY PAVING SYSTEM AND
METHOD INCLUDING ROADWAY
PAVING VEHICLE SUPPLY TRUCK

RESPONSE TO OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated January 27, 2004, please enter the following amendments and consider the following remarks.

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this Response to Office Action and all accompanying documents are, on the date indicated below, <input checked="" type="checkbox"/> being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or <input type="checkbox"/> being facsimile transmitted to the U.S. Patent and Trademark Office, Attention: Examiner Art Unit _____, Facsimile Number _____.			
Name (Print/Type)	Joan Condon		
Signature		Date	April 27, 2004

In re Application of: James J. Barnat et al.
 Application No. 09/873,800
 Filed: June 4, 2001
 For: ROADWAY PAVING APPARATUS AND METHOD INCLUDING ROADWAY PAVING VEHICLE
 SUPPLY TRUCK



Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Corres. and Mail
BOX AF

Sir:

Transmitted herewith is a response to an office action in the subject application.

- Small entity status is claimed for this application under 37 CFR 1.27.
- Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- Other:
- Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

						SMALL ENTITY	OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE		none		\$ 0.00		\$ 0.00	\$ 0.00	
subtract time extension fee previously paid		none		(\$ 0.00)		(\$ 0.00)	(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDT. CLAIM FEE	RATE	ADDT. CLAIM FEE	
TOTAL	66	MINUS	70	=0	x 9=	\$	x 18=	\$0
INDEPENDENT	7	MINUS	7	=0	x 43=	\$	x 86=	\$0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE CLAIM				+ 145=	\$		+ 290=	\$
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$0

- The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
 LEYDIG, VOIT & MAYER, LTD.

By

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